

It would be different if we thought this money was really going to make a difference with the problems in California, but it is not. It will not change one thing in terms of how the Corps operates this program this year. By the time the money would get there, it would have to be reprogrammed anyhow.

I have some other problems with this program. Ask yourself: If we have spent \$131 million plus \$6.3 million, \$137 million already, and the Corps says it is 95 percent complete, and then they say they need another \$51 million to complete it, how can it be 95 percent complete?

This is not about the need. This is about the inefficiencies within the Corps. This is about whether we can get the money to solve a problem that is deemed an emergency at this time, but I seriously doubt whether that has been the fact.

The Corps has been cited on numerous occasions by the GAO for its inability to predict costs, stay within the forecasted budget. In fact, some of GAO's strong criticisms have come in regard to this very work in the Sacramento area.

I made the point in an earlier amendment with Senator OBAMA that the Corps made \$5 a cubic yard on everything we removed in Katrina. That is over 30 million cubic yards. That is \$150 million the Corps took out of the Homeland Security and the emergency appropriations. Why don't we spend that money on this? Why do we borrow more money against our children and grandchildren to accomplish this worthy goal?

When I ask those questions, we do not get any answers. No one answers the question, can we efficiently be good stewards of our children and our grandchildren's money? When is enough enough? If this project is, indeed, an emergency, as we are being told, we need to be asking the tough questions. How long does it take to shore up levees near Sacramento—46 years for the Corps to do this job? I have a real sneaking suspicion 10 years from now the Corps will continue to ask us for money to shore up levees in Sacramento. And if that is the case and they have not completed it, it means they will not have done a good job on the very job we ask them to do, which is something I contend anyway.

These funds may, in fact, be needed. If that is the case, the Corps of Engineers has failed miserably.

I intend, in my oversight committee, to ask for an explanation of every penny the Corps has spent on the river bank protection near Sacramento. Representatives of this city and taxpayers all across the country should be outraged regarding the irresponsibility of the Corps in carrying out this project. Forty years and over \$130 million later, we are asked to give the Corps an additional \$11 million in emergency appropriations, money we will have to borrow, all because the Corps cannot do

its job correctly the first, third, fourth, fifth, up to the 46th time.

Enough is enough. No venture would ever continue to receive such high funding with this track record.

Two other questions I think should be asked. Does the Corps lack the resources to fund the emergency needs? According to the Office of Management and Budget, the Corps of Engineers had \$4.5 billion in unobligated balances last year and has an estimate of \$5.8 billion in unobligated balances this year. According to the Corps itself, as of March 30, their unobligated scheduled carry-over was \$1.49 billion. They have the money to do this right now.

The Sacramento Corps office will have unobligated balances by the end of 2006 in excess of \$13.5 million.

I ask again: Why are we going to borrow money when we have the money? If, in fact, it is an emergency, the Corps has the money in unobligated balances to accomplish it. All we need is an authorization to do that.

How do we prioritize Federal funds in California? In fiscal year 2006, California has 549 earmarks costing \$733 million. In addition, it received \$10 million in earmarks for museums alone. That expenditure alone would have been enough to pay for nearly all of this requested work.

Are the following museum earmarks more important than protecting the city of Sacramento: \$200,000 for the California State Mining and Mineral Museum; \$550,000 for development and construction of Noah's Park at the Skirball Cultural Center; \$4.35 million for repairs of Sala Burton Maritime Museum, in San Francisco; \$300,000 to the city of San Jacinto for improvements to the museum/Extudillo property; \$175,000 for the M.H. de Young Memorial Museum; \$500,000 for the construction of a museum also at the San Francisco Fine Arts Museum.

Just the museum earmarks alone would take care of this. So instead, what we are going to do, we are going to borrow money because we do not have the money to pay for this.

Attempting to attach more funds for the project, the project in its 46th year, outside of the regular budget process, is an abuse of taxpayer resources, takes advantage of the emergency appropriations process intended to deal only with the most urgent and immediate needs of the devastated gulf region, and to provide for our soldiers in battle.

Senator BOXER said on May 1, 2005, the war should be paid for in the budget, not in an emergency supplemental. The war is known. The cost of the war was anticipated by some people that this administration fired. The cost of this war is spinning out of control.

The same can be said for this project. This project was authorized in 1960. It has received over \$100 million and its future costs are known. This should be addressed in the regular appropriations process, not in an emergency supplemental.

With that, I yield the floor, and I offer time to the opponents of my amendment.

Mrs. FEINSTEIN. Mr. President, I am joined in the Senate by my friend and colleague, Senator BOXER. We are joined at the hip in opposition to this. If there ever was a disaster waiting to happen, it is the levee situation in the State of California. I will take a few minutes to explain why.

Let me begin with this fact. We have a comparison of flood protection levels for major river cities. Sacramento is the only city in the Nation with 85-year protection. All comparable cities—New Orleans, 250-year flood protection; Omaha, 250 years; Dallas, 500 years; Kansas City, St. Louis, Tacoma, 500 years.

The problem is, much of this area is 20 feet or more below the river, below the flood basins.

I stood in a home in Sacramento on Saturday. It was 20 feet below the level of the river. That is the problem. The sedimentary base of soils there is peat, and it is easily crumbled.

What you have are 2,600 miles of levees—some owned by the Federal Government, some by the State, some by private owners. These levees become eroded. And because of the heavy rain—the heaviest rainfall, I believe, that I can remember in California—there is deep concern about these levees.

Let me show you the specific area we are talking about. Shown in this picture is the Sacramento Pocket Area. The Governor, Mr. POMBO of the House, and a number of other public officials were right in this area—standing right here—a short time ago. We flew over the area. These are homes, all 20 feet below the river area. There are several places in this area that are priority needs for restoration immediately.

The Governor has declared a state of emergency. The Governor has advanced State moneys. The Governor has said this is of urgent priority. The fact of the matter is, at any time, places along this levee could go. You would flood 100,000 people in 20 feet of water. Many would be unable to evacuate. You would have real catastrophe.

The Army Corps of Engineers, through Colonel Light, the commander of the Sacramento District, came back. We sat down with Senator COCHRAN, the chairman of the committee, Senator BYRD, Senator DOMENICI, and Senator REID. It was all explained that there is an emergency. Earthquake probabilities, for a major earthquake equal to 1906 in San Francisco or higher, are 62 percent by 2030. If there is an earthquake equal to what took place in California, the likelihood is that this entire area would be flooded and hundreds of thousands of people could be involved.

Now, this bill provides \$23 million in contingent emergency funding. This particular division is \$11.3 million. Funding would become available only if the President requests the money and certifies that it is an emergency.